

REFUGEES IN THE MIDDLE EAST

The Context for the Refugee Working Group

These are multilateral talks intended to supplement the bilateral talks and clearly not replace them or act as a forum for putting pressure on the bilateral discussants. They are intended to provide: a) an appropriate atmosphere; b) small practical steps upon which a foundation can be built; and c) utilization of expertise, experience, knowledge and resources of others. The Canadian government has assumed responsibility for initiating a sustainable process which will induce the parties concerned to work together on the problems of the displaced within the countries involved in the bilateral process or originating from that area.

A. Canada's Role?

What is a nice country like Canada doing mixing itself up in the mess of the Middle East? Why did we agree to "gavel" the fifth working group in the Middle East peace talks and what do we want to emerge from those talks? The two questions are very different. A fifth stream to the talks may have been initiated to get the Palestinians to participate in Moscow and to deal with an issue that had no obvious forum in the established four streams. We may have become involved because we were asked to by the United States and/or because we are the obvious country to chair a working group on refugees given our past commitments and leading role in this area. We have both credibility and expertise. But if that credibility and expertise are not to be squandered, we had better make sure we have our act together. This entails both knowing what is feasible **and** opportune, at the same time as we are self-conscious of the role Canada can play given what Canada is and, even more importantly, what Canada is perceived to be.

This means that the first imperative entails an examination of Canada before we even look at the Middle East. This may seem odd. Traditionally, international issues were seen as something out there, something which existed quite independently of Canada's persona in the world and certainly independently of Canada's domestic situation. The fact, however, is that we have been asked to play the role we are playing because of that persona, and if we are to play a role in any way commensurate with the task in front of us, we must understand that persona and what elements of it can be best "exploited" and which elements must be revised to apply to the task now before us. Further, Canada never viewed the Middle East as an strategic arena of superpower conflict. Finally, the role we play and the results that may emerge may

require support by the domestic constituency in Canada. This does not mean that foreign policy is **determined** by domestic considerations as is often alleged to be the case in the United States. It does mean that the domestic factors, particularly those which might influence the role we play, must be recognized.

Canada has a different political culture which does not except political lobbying by ethnic groups on external affairs issues as quite legitimate. The Canada Israel Committee (CIC), B'nai Brith on its own as well as a part of CIC, the Canadian Arab Federation and the Canada-Palestine Committee are, in fact, ethnic lobbies in Canada. We have a much more mandarin system in comparison to the United States; senior bureaucrats regard foreign affairs as matters of objective rationality even when dealing with subjective passions, and tend to regard ethnic lobbies as parochial and sectarian. However, economic self interest is not regarded as sectarian and special pleading, but in the self interest of Canada as a whole, though Canada's very modest trade figures with the Middle East, in spite of our best efforts and considerable sacrifice, would indicate that economic self-interest would have little role to play. Nevertheless, special economic interests -engineering (Lavalin or its resurrected version), banking, manufacturing particularly in telecommunications, construction (ATCO) and aircraft (de Havilland) - and the new foreign policy priorities that began with the Trudeau government, shifted the base of foreign policy decisions towards the politicized private economic sphere.

However, beyond the self image of external affairs mandarins as objective and rational players with a predominant role, assuming that domestic ethnic lobbies continue to play a marginal role, accepting that economic self interest has increased its role in the determination of foreign policy, the most important factor will likely be the way we project our subjective angst on the Middle East cauldron. In a time of unstable domestic politics, at a time when separatism of one national group in Canada is at centre stage of our domestic political agenda, at a time when indigenous populations who lived in this country long before the arrival of the new settlers who came to dominate the national life of Canada are also front and centre, and at a time when commitments to the resolution of an issue in the Middle East may entail possible further future financial commitments of Canada at a time when the country is fitfully (and hopefully) crawling out of a deep recession, then the domestic situation in Canada cannot be ignored because it will inevitably project itself onto the Middle East refugee situation and Canada's role in and perception of it.

These projections, moreover, are even more likely to come to the fore when there are dramatically different perceptions of what is just both in the domestic resolution of key issues and in the solution of key conflicts in the Middle East. It will be just too easy for Middle East issues to become stalking horses for domestic debates. Symbolism can easily overwhelm reality. This is now widely accepted as the case with participants in a conflict; it is less often recognized to affect the role of the "brokers" to these conflicts.

All this is to say that domestic issues and perceptions critically affect the way issues in the Middle East will be perceived and interpreted. So will the perceptions of Canada already extant in the international community. There are three issues, and not just one, with which Canada has been and is identified that make it appropriate that Canada provide some degree of leadership in this area: peace-keeping, refugees and human rights. All are relevant in this context. The refugee expertise seems obvious, but our expertise will be most appropriate to the refugees in the diaspora. Refugees in Gaza and the West Bank who have not left their homeland, even if they left their homes, will draw much more on other aspects of our knowledge and experience.

Peace-keeping will likely be an issue because security measures may be necessary to protect refugees living in the West Bank and Gaza. We (or others) may be required to send Refugee Compliance Experts to the Middle East. If they are to fulfil their role, then we may have to insist that the terms and conditions for a Compliance Expert to participate be set down clearly and adequately without being hamstrung by political considerations. After all, we did not participate in UNIFIL because we correctly recognized that the terms were unacceptable and the situation was too politicized. Canada has been and must remain unwilling to sacrifice its hard won expertise and reputation under any international or regional pressure for a compromise which might unnecessarily risk our own or other country's personnel.

Our peace keeping expertise has also been built up on a knowledge of what is required for confidence building mechanisms between and among antagonistic negotiating partners. The four key conditions essential to such measures are certain to be applicable - transparency, compliance, verification and the designation of appropriate and effective measure that may be required in the face of non-compliance. Though these requirements may emerge way down the line, they begin to be established early in the game. Further, the work necessary to establish certain factors essential for transparency, such as

agreements on numbers, has to begin now. Questions about the role of neutral third parties will have to be faced early, and in fact, that role will be established, in part, by the way Canada "gavels" the sessions.

Human rights are also an issue. Anyone in the least familiar with the intifada over the last three years, and the events in the occupied territories prior to that, know that the human rights of the refugees among others are critical during the process of discussions and during any interim arrangements. Canada has had expertise in ensuring transparency and in establishing compliance and verification mechanisms for such situations before, as in Namibia.

In addition to being identified with issues of critical concern to any discussion of refugees, that is, not only the refugees themselves, but the security of those refugees and the protection of their human rights as well, we have also played an international policy role in the past which intertwine three other factors of relevance to this issue. We are recognized as being relatively even-handed, we are a middle power and we have played the role of honest broker. The latter may now appear archaic, but it is very relevant to the role Canada has been asked and been given an opportunity to play at this time.

The issues are relevant. Our past record and characteristic roles are relevant. However, some of the past tactics we have employed are not quite as relevant. In fact, some of them may be wrong. Again there are three I would focus on. These have to be discussed in more detail because a critical analysis is necessary.

The first is a propensity for Canada to demur from taking an initiating role. We are not the United States. More importantly, we define ourselves in part as **not** the United States. Canada has neither the power nor the prestige to take open initiatives that suggest what roles the various protagonists are to play. But this does **not** mean Canada should simply be passive. Canada, if it is to provide leadership, must play an active role and develop an overall strategy. Otherwise the medium will become the message conveying passive resignation rather than goal oriented action. I once wrote down a principle of mediation - and do not forget that this is really the role that Canada has agreed to undertake - that I believe came from Abba Eban. "What gives a negotiator a chance of success is not so much his skill or sincerity as his visible authority." Canada has an authentic authority in all the key areas of relevance to these negotiations - refugees, security issues and the defence of human rights. We must match that authentic authority with the appropriate formal authority

that we adopt as gaveller and provide significant leadership in these talks.

The second important tactic I want to address is the use of "creative ambiguity". Michael Shenstone and several others enunciated this dictum as a critical byword for the process anticipated. I couldn't disagree more. In fact, I would blame the "creative ambiguity" used by Western diplomats for almost as much of the problem of Palestinian refugees as Bernadotte's belief that he was a god and not just a divine messenger who had the power to deliver repatriation for the refugees against the reality of the conflict and all past experience in dealing with refugees. For "economic integration" was the creation of "creative ambiguity", a slogan which stood for permanent resettlement of the refugees in countries of the Middle East without saying that this was the function of the large scale economic schemes behind the setting up of UNRWA. UNRWA was set up to solve the problem of the refugees permanently, and not as its propagandists would have it, to simply await the outcome of a separate peace process. But the propaganda became the reality precisely because "creative ambiguity" was used and the consequent efforts to develop practical solutions leading to permanent settlement were failures. To use the words of Henry Kissinger in his address to the Peace Conference on the Middle East in Geneva on December 21, 1973, "We can make propaganda or we can make progress." The latter calls for clear and unequivocal statements and terms, and not ambiguity which is called in doublespeak creative when it most often turns out to be destructive. The weapons of a messenger of the gods or of God are words. The earthly situation provides the opportunities. Semantic precision, not creative ambiguity, must be the byword of the discussions while we keep in mind the connotations of all terms when they emerge in the public.

We are all aware that words can cause war. Bismarck's editing of the Ems telegram that led (intentionally on the part of Bismarck) to the Franco-Prussian War may perhaps be the most famous example. The quibble over words may also delay peace and cost countless lives because there is inadequate precision given to the words used in diplomacy. Here the use of "pourrait" in Hanoi's offer to negotiate peace with the United States may serve as another example. "Pourrait" was translated as 'could' in referring to possible talks between the Democratic Republic of Vietnam and the Americans, when it, in fact, connoted a virtual certainty and not merely a possibility. The direct consequence of the confusion was mutual misunderstanding and the breakdown in the first Kissinger peace initiative (when he was still an academic) and five more clearly unnecessary years of war and destruction.

As a second tactic we must employ semantic precision not 'creative ambiguity' in all aspects of the discussions.

The third traditional tactic is to employ quiet diplomacy. This means diplomacy free from the glare of publicity. It also seems to imply that parties in negotiations can take positions in private which depart significantly from their public pronouncements. But whatever the truth of this dictum for the major parties in the conflict, the exact opposite must be the case with the mediator.

A mediator is literally and historically an angel (from the Greek 'angelos' meaning messenger) from heaven. A mediator (Mal'ach in Hebrew) is one sent by God to pronounce the way divine justice will be brought to earth. As the Jerusalem Talmud describes the role, mediators "fill the intermediate space between earth and the infinitely distant realm of the Divine presence." If they get the illusion they are gods themselves and not just messengers, they may end up as Count Bernadotte did, an historical failure as a mediator who did more to harm the cause of refugees and peace that he was so dedicated to helping. Mediators must be grounded in the dirt and sand of the Middle East while attached to a sense of justice that recognizes in advance that divine justice is never applicable on earth. The best that can be accomplished under the circumstances is the least injustice.

The role of the mediator is particularly crucial in the Middle East. My own model has always been Ralph Bunche. An individual of intelligence and integrity, he worked successfully in an arena in which public eloquence was often seen as more important than negotiations, in an area where Hermes, the Greek god of ruse and pretence, is often regarded as the appropriate role for the messenger. Quiet diplomacy is important in two senses. It must be quiet because it eschews public noise and personal aggrandizement for silent successes. It must be diplomatic because it recognizes the need for reticence, privacy and discretion. But if we still believe that we can avoid the intrusion of the media into every phase of the process, we will be mistaken. In addition to the parties at the table, in addition to Canada as head gaveler, in addition to the United States ensuring the table stays together, the media will inevitably be a partner in the process. Not only will Wilson's proclamation, "Open covenants openly arrived at" be the ruling norm, but because of that norm, there will be an unacknowledged partner in the negotiating process. Thus, we must, as Janice Stein warned, integrate a communications strategy as part of the whole process. Public opinion forged by the press will be integral to any results achieved.

B. A Communications Strategy

If Canada does not have a long term strategy, the small window of opportunity to do something for the Palestinians will have been made even smaller. Secondly, if we don't take a more significant control of the operation, particularly the media aspects, I think we risk a disaster. To put it another way, if we concentrate on just getting everyone to the first meeting and staying at that meeting, and simply count that as a success, we help build in the foundation for failure. I want to suggest some communication policies the Canadian government should consider adopting.

Let me put it in the form of ten commandments for a media strategy we or you should adopt. I agreed with the point Janice Stein made at the meeting that you have to prepare the media. But I now go further. You have to be prepared for the media.

The Ten Media Commandments

1. Always tell the truth. This does not only mean that we try to ensure that the correct facts are disseminated, but that we give a context for those facts and a comprehensive picture of the issue.
2. Have one spokesperson who is playing a senior role in the negotiations. I suspect it should be Michael Bell from what you said his role was. Whomever is chosen should be a senior player in the managing the negotiations and capable of responding in a timely and flexible way to events as they unfold.
3. Canada **must** play a leading role without appearing to control the agenda or the contents. This will not be achieved if Canada says or conveys that its role is simply to get the players to the table we look like passive reactors only and, even worse, in the direct pocket of the United States. On the other hand, if we appear to take control, then we defeat the idea of the negotiators taking ownership of the negotiations. The model could be Henry Kissinger's role when he was engaging in shuttle diplomacy to facilitate the Egyptian/Israeli and Syrian/Israeli agreements. He gained leadership not by dictating the terms or trying to control the negotiating parties, but by staying at the centre of information and dissemination while having an overall strategy in mind. Which brings us to the fourth commandment.
4. An overall strategy is critical to the success of a media campaign as well as the slim chance of getting a positive outcome out of the negotiations. If we don't have an idea in even the broadest outline of

where we are going, we are never going to help anyone get there. We have to imagine ourselves as tourist guides.

5. It is imperative that the spokesperson meet with media personnel very frequently and informally.

The next five commandments operationalize the above.¹

6. Shape the interpretation of the events that emerge. The initial meeting will be **events driven** where the holding of the talks itself will be the centre of attention - who comes, identifying what the issues are and the tone of the emerging discussions. It is in this first stage that we have to have the strategy down otherwise the events will drive the Canadian diplomats as well as the negotiators instead of the negotiators using the "happening" to gain control and direct the agenda. At this stage virtually everyone, including media representatives, are spectators waiting to be told where everything is going. Let me give an example. If we are passive, the story **will** become who attends and who does not attend, and that is the precise story most likely to damage the talks. I think the story has to focus on refugees and **not** on participants at the talk. Media images, video clips, information packages, etc., all will help, but the key determinant will be events, and most of the ones that emerge will be unpredictable. But if one doesn't have some direction and a strategy, what emerges will take over any efforts to exercise some direction and control and we will be playing poker with 10 of the 13 cards wild.

7. Determine the key topic. If we can respond to and interpret the events that emerge in a creative way, then the media people will look to us for the context and background, so that the negotiations become **topic driven** and we have the chance to establish a degree of control over the negotiations. The key part of the strategy is establishing the essential topic of discussion and what narrative line will be developed.

8. Control the involvement of the general public. Decide whether we need or do not need continuing public interest, and if we do need it, then it will be necessary to get not only the negotiators to buy into the process, but the general public as well. If we get the topic established, interest may soon wane. Depending on what the overall strategy may be, we could encourage such interest to fade or we may want it to be sustained and increased. (I will suggest the latter and

¹ The depiction of the phases is taken from Jim Lederman's book, Battle Lines: The American Media and the Intifada, p. 168.

explain why I think the audience has to develop a vested interest in the outcome so that they do not remain merely bystanders, but become emotionally and intellectually engaged.) This means, of course, exploring the motives and interests not only of the major players, but of the bystanders as well so that they see how they are affected by and affect the outcome.

9. Convert the general narrative line and topic to one clearly defined central issue. In other words, we may start a process with creative ambiguity as a tactic, but creative ambiguity will end up in a shit-hole where we will stink ourselves and be blinded by the swirling mess of controversy around. This entails focusing on clearly defined options and the pros and cons of each.

10. Set forth an agenda **and a process** for resolving the key issue. The public must remain involved (if my suggestions are followed about the role of the public.)

C. The Role of Academics

Little needs to be said. Canada has already begun to use academics as advisors, as long range thinkers and as a resource for the preparation of think pieces and briefing books. Yet, as an academic, I want to place a warning about the use of scholars. To quote the medieval historian Ibn Khaldun, "Scholars of all people are those least familiar with the ways of politics." We can provide distance and detachment. We can even be messengers for the messengers in the way I was used when I was sent from the meetings in Princeton, preparing the groundwork for the opening of peace talks by academic advisors to the U.S., Israeli, Jordanian, Egyptian, and Soviet governments, to speak to Sari Nusseibah to entreat him and the Palestinians to resume their participation in the discussions (Sari had walked out of the meeting, for technical rather than substantive reasons.) What we cannot be are the mediators and negotiators. If an academic becomes a mediator, as Henry Kissinger did, he leaves the refuge of detachment for the hurly-burly and fast track of politics requiring quick decisions. Kissinger recognized the need to have **both** roles filled. Academics, if they are to be useful, must not get so close and intimately involved in the discussions that they lose their sense of distance and their freedom to provide critical commentary on what is being said and done. Further, when that commentary stops being critical, one can suspect that the academics will have ceased to play their allotted role.

D. The Parties in the Region

The most important factors to take into account are the character, positions, policies, strategies and tactics of the parties to the conflict, particularly the key parties. The latter consist of two - Israel and the Palestinians.

1. The Palestinians

The issue of the Kurds may be brought up to score points. The issue of the Jews who fled Arab lands may be critical when the compensation issue is discussed and trade-offs are necessary. But the only critical and central group of displaced persons and refugees that the talks must deal with are the Palestinians.

The Palestinians, though part of the Jordanian delegation, are a distinct national group. The primacy of that identity may have begun in the 1920s but it only came to the fore after the Israeli capture of the West Bank and Gaza in the 1967 war. Even then, Palestinians continued the strategy of relying on others for the achievement of their political goals. Increasingly, the Palestinians came more and more to rely on their own efforts. But the initiative heretofore resided with diaspora Palestinians. When the Palestinians were expelled from Lebanon following the Israeli invasion of that country, the indigenous population fell into a melancholic torpor. With the Egyptian peace treaty, the defeat of Palestinian armed units on the last available frontier with Israel (they were expelled from Jordan following Black September in 1970), the vision of a messenger of salvation arriving from without was gradually lost. The "shaking off" or uprising that began spontaneously in 1987 under a young leadership rebelling as much at the passivity of their elders as against the Israelis shifted the centre of gravity of the Palestinian movement to the occupied territories from the diaspora. This shift was virtually inevitable given that the right had become the established government with its announced policy of holding onto the territories, its large settlement schemes in the population heartland of the West Bank, the large number of Russian immigrant arrivals and finally and belatedly the acknowledgement by the Palestinian leadership that it would accept half a loaf (whether as an interim tactic or a strategic retreat) rather than insisting on the whole loaf or nothing.

This shift was evident in the commentary following the short-lived rumours of Arafat's death in a plane crash in Libya. For example, the Middle East journalist, Kattab, noted that one of the effects of Arafat's death would be to reinforce the shift of the power centre of Palestinian politics to the occupied territories.

What is the significance of this shift for Palestinian refugees and displaced persons? It means two things. For the first time we can openly state and acknowledge (even if it still has to be done subtly and diplomatically - the wounds are still too fresh) that the Palestinians in the diaspora are unlikely to be going back to their homes in Lod, in Jaffa, in Haifa. If they want to go back, it will not be to their homes; it will be at best their homeland. It must be recalled that Count Bernadotte, on August 6 1948 had proposed an unprecedented "right of return" for the Palestinian refugees, a proposal which had much more to do with his own ideological convictions that people had a "natural" soil to which they belonged and from which they could not be alienated without destroying the soul of that people. When he was assassinated by Israeli terrorists, this proposal, which was initially greeted with widespread scepticism, was, three days after his martyrdom, voted by the United Nations as a basic principle for dealing with the Palestinian refugees, with the words "or compensation" added to provide an escape. Repatriation to what is now Israel can be finally faced as a forlorn and misplaced hope. The corollary question can also be addressed - do the Palestinians in the diaspora want to go to the West Bank (Gaza is clearly too crowded) and, if so, under what political and economic conditions, or would they just as soon settle elsewhere?

The second point is that the Palestinians who were displaced in 1947-48 and who now live in Gaza and the West Bank with their descendants will also not be going back. They will most likely be staying where they are unless they choose and are able to emigrate. The effect of both these points is that, for the first time, the resolution of the plight of the displaced is *conceptually*, though not practically, easier. The general outline of the answers is obvious.

Further, not only is the conceptual opportunity available for the first time. The existential plight of the Palestinians makes the situation desperate. They are being squeezed from all directions. About 400,000 have been expelled from Kuwait. They are in the process of being displaced from Saudi Arabia as potential fifth columnists. The traditional outlets are being closed off. Desperation can give rise to horrific explosions. It can also provide an opportunity to address the issue.

It means, basically, that there will be two distinct, though overlapping solutions to the Palestinian refugee problem. It also means that all kinds of small, and some large, interim steps can be envisaged which will both contribute to the peace process and greatly improve the plight of the refugees and the displaced. For example, the major

health, education and welfare ministry of the Palestinian peoples (UNRWA) can be transferred to the control of the indigenous Palestinian inhabitants, and this could be done even within the framework of an interim administrative arrangement with direct assistance being provided to the Palestinians themselves. There is no longer any vested interest, political or otherwise, for **any** of the parties keeping the Palestinians in refugee camps pending a final peace solution for the prospect of return to their homes (except perhaps for a small number under family reunification following a peace treaty) will finally have been buried. It also means that concrete steps can be taken to ascertain both the wishes of the Palestinian diaspora population, given alternative political and economic scenarios, and when the steps do not entail either a return to the West Bank during the interim period **or** a surrender of the right to such return, then permanent settlement can be provided for Palestinians in the diaspora.

In other words, the opportunity is ripe for dramatic improvements in the conditions, protection and provided for the Palestinian people as well as opportunities to govern themselves in key areas of health, education and welfare.

There is, however, one very serious problem. The national identity of the Palestinian people is now symbolically represented by the PLO even though the shift in the centre of gravity of the politics of the Palestinian community is now in the occupied territories at the same time as religious fundamentalism within the territories challenges the hegemony of that identity. The Israelis will resist any symbolic nationalist expression of a self administered health, education, welfare, and, I would add, housing ministry, and it will be important for the Palestinians to insist on it and to do so in a way which is continuous with the diaspora symbols of their nationalist struggle. The religious fundamentalists will also resist, but for very different reasons, and will fight for control of those areas of responsibility. My own suspicion is that they will win such control in Gaza but not in the West Bank. The result may be a three part solution, one for Gaza, one for the West Bank and one for the diaspora. This may be appropriate since the situation of the Gazans, without citizenship for any of the indigenous population as well as for the refugees, and with its crowded and impoverished situation, is so dramatically different than that for the West Bankers.

At present, there is an incongruity between the extant, known and recognized structures and organizations and the likely reality that solutions will follow different courses for both the diaspora and the indigenous population, and for two segments of the indigenous

population - Gazans and West Bankers.

Refugees and Politics - a discussion of the 1948-68 when primacy was placed on the refugee issue for the resolution of the Palestinian problem. Next twenty years, primacy shifted to the political issue under the leadership of the PLO. Now, must recognize it is both - i.e. it remains a political issue for those in the occupied territories and is primarily a refugee issue for those in the diaspora.

2. Israel

3. Jordan

4. Syria

5. Egypt

6. Iraq

7. Libya

8. Tunisia

IV International Agencies

1. The UN

2. UNRWA

3. UNHCR

X. Strategy

Now let me discuss the central issue of overall strategy. The central issue of the other peace talks is now trading land for peace. It could shift, if the Israelis are smart, but I doubt it. It could, for example, become sharing land in peace. In either case, it won't matter to our agenda. For the refugee issue can only handicap the other peace talks if they are joined - such as if the issue becomes focused on return of the Palestinians. It will exacerbate fears of the Israelis of large numbers (the same reaction as the Palestinians had to the arrival of the Russians) and provide ammunition for more radical Palestinian representatives. On the other side, it will shift leadership from the inhabitants of Gaza and the West Bank back to Tripoli, thereby undercutting the authority and role of the indigenous

population who have the greatest interest in making a deal. The issue of refugees must be established as one separate from the peace issue but where its outcome will be critical to the peace talks. That is, we must establish that the peace talks are not simply a fifth stream, but a stream belonging to a very different category where progress can be made independently of the progress of the peace talks themselves in a way that reinforces the security and confidence of **both** sides. This means when we lead up to the first meeting, we have to have a story and a context that shows how the joining of the refugee and peace issues as necessarily dependent on one another has, in fact, inhibited progress on either, at least as far as the Palestinian refugees are concerned.

If the talks are not to be event driven, they must not get bogged down over the participants or the agenda items. I thought Stephen Cohen's inclusion principle was a superb solution to avoiding fights over the agenda. However, we did not adequately discuss the participation issue.

My first reaction was that the diaspora Palestinians had to be included because this was a refugee issue no matter what the Israelis say. However, on further reflection, I think this is wrong. My reason is not because we want and need the refugees at the table. It is because the indigenous Palestinians and the Israelis both have a common interest in not having diaspora Palestinians return. This is not only for power reasons, reasons of security and leadership, or economics, but diaspora political Palestinians are the absolutely wrong people to deal with the issue as a refugee issue. They will want to use the refugee talks as their entrée to take over the major agenda.

On the other hand, if Palestinian diaspora personnel are not in attendance, then how can the key issue with respect to refugees - the Palestinian refugee issue be discussed? And if they are, the Israelis will not attend. I suggest the following format as an attempt to resolve the issue: the creation of two subcommittees. At the major supervisory committee, the agreed formula for participation would be used. Palestinian representatives concerned primarily with Palestinian refugees in Gaza and the West Bank would attend one subcommittee. Palestinian representatives **concerned with and expert on** Palestinian refugees in the Diaspora would attend the other subcommittee; it would not be crucial for Israel to attend the latter.

Secondly, I was also initially predisposed to including UNRWA and UNHCR. I now think UNRWA should not be included. It is not that they are another voice for the Palestinians, but they are not a voice based on representative principles; they are a neo-colonial voice. And they

are driven by a myth that they are most responsible for perpetuating over the years - that the refugee issue cannot and will not be solved until the conflict issues are solved. The fact is they have it ass backwards. The resolution of the refugee issue is a necessary, but not sufficient condition for resolving the peace issue.

Summary: Don't let the agenda be hijacked by the participation issue; stick to the original framework on the overall committee, not because it was the original framework, though that is one argument on its behalf, but because it is the one and only framework likely to produce good results. That is, support the framework for participation and exclude both UNRWA and the diaspora from the overall committee, but include the Palestinian diaspora representatives in a subcommittee. Include technical experts from both in the technical side talks.

Though this initially appears to serve the Israeli agenda, it, in fact, undercuts it because, as you will see, it reinforces the idea that the Palestinians need a state of their own to which they can belong while, at the same time, not denying a law of return for Palestinians in the diaspora.

If we get past the first talks were the events do not drive the Canadian diplomats, but Canadian diplomats gain the direction and control of the responses to events, then we will be in a position to establish what the key topic should be - that the refugee talks are separate and distinct from the other talks and yet a necessary but insufficient precondition for making progress in those other talks.

Summary:

Establish the talks as separate and distinct.

Establish the primary context and narrative line that the failure to resolve the refugee issue separately has undermined the prospects of peace in the past.

The next problem is - What should the central issue become? It is and will remain the plight of the Palestinian refugees and not the Kurds and certainly not the return of Jewish refugees from Arab lands. But it must not become the humanitarian situation of the refugees as Stephen Cohen had suggested. It must be the lack of membership in a state that provides their protection. That needs to be said more simply. But saying it this way reinforces the need for and recognition of some Palestinian state - it could even be Jordan, that is for the other talks to work out. But, at the same time, establishing a Palestinian state won't solve the plight of the refugees in the diaspora. Further, the failure to solve their problem exaggerates

irredentism and creates a constituency for undermining a settlement dictated by the indigenous population.

Summary:

The talks should end up focusing on the Palestinian refugees. The lack of citizenship for these refugees should be the key issue.

If we are clear about how to control the events, if we are clear about what the central initial topic will have to be, if we establish that the central issue is the lack of citizenship in a state for the Palestinians, then the next issue will be whether we need the public to be continuously involved. I think we do. Here is why. It is my belief that an independent Palestinian state for the indigenous residents of Gaza and the West Bank - however it is configured and whatever, if any, state it is linked to, cannot absorb 600,000 to 1,000,000 Palestinians **at the time of a peace settlement**. Does that mean they continue to rot in camps. We will only be witnesses to an upsurge in terrorism that will make the seventies look tame and the intifada look like a picnic. The diaspora Palestinians cannot be left out of the deal. On the other hand, they cannot return immediately to a new Palestine. There is one and only one option, as I see it. They have to be given citizenship in the West, without in any way taking away their right to return, if and when they want, to a Palestinian state.

That means Canada, for example, will have to admit up to a roughly estimated 60,000 Palestinians over a 1-2 year period. Would we be willing to do it? Will we want to do it? Can we do it? To answer the last question is, first, yes we can do it, but only if the Canadian public is motivated to make it their issue and not just a Middle East issue. Only if the Europeans and American people make it their issue and not just a ME issue. My own conviction is that this is the central issue - not the players at the table, but the western media public. Without their buying into the solution, my own belief at this moment is that the talks will be a waste of time. And unless we think about this now, we will get everything wrong.

Summary:

Resettlement in the West for many Palestinians is critical. The public must see that they have an interest in the outcome so their motives and interests must be included and become part of the developing story.

If we get that far, then the resolution will be easy. But we have to plan for developing a strategy that will involve **all** of the West, particularly the Europeans, and we must begin planning that strategy

now.